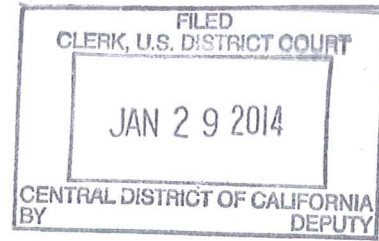


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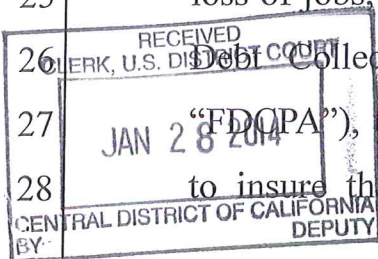
10 Attorneys for Alexis Gonzalez

11 **UNITED STATES DISTRICT COURT**  
 12 **CENTRAL DISTRICT OF CALIFORNIA**

<p>13 Alexis Gonzalez</p> <p>14 Plaintiff,</p> <p>15 v.</p> <p>16 Resurgence Financial, LLC and</p> <p>17 Law Offices of Patenaude &amp; Felix,</p> <p>18 APC,</p> <p>19 Defendants.</p>	<p>20 <b>Case No:</b> <del>EDCV14-172-DSF (PJW x)</del></p> <p>21 <b>Complaint For Damages</b></p> <p>22 <b>Jury Trial Demanded</b></p>
--	---

23 **INTRODUCTION**

- 24 1. The United States Congress has found abundant evidence of the use of
- 25 abusive, deceptive, and unfair debt collection practices by many debt
- 26 collectors, and has determined that abusive debt collection practices
- 27 contribute to the number of personal bankruptcies, to marital instability, to the
- 28 loss of jobs, and to invasions of individual privacy. Congress wrote the Fair
- Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (hereinafter
- "FDCPA"), to eliminate abusive debt collection practices by debt collectors,
- to insure that those debt collectors who refrain from using abusive debt



**COPY**

1 collection practices are not competitively disadvantaged, and to promote  
2 consistent State action to protect consumers against debt collection abuses.

3 2. The California legislature has determined that the banking and credit system  
4 and grantors of credit to consumers are dependent upon the collection of just  
5 and owing debts and that unfair or deceptive collection practices undermine  
6 the public confidence that is essential to the continued functioning of the  
7 banking and credit system and sound extensions of credit to consumers. The  
8 Legislature has further determined that there is a need to ensure that debt  
9 collectors exercise this responsibility with fairness, honesty and due regard  
10 for the debtor's rights and that debt collectors must be prohibited from  
11 engaging in unfair or deceptive acts or practices.

12 3. Alexis Gonzalez, ("Plaintiff"), through Plaintiff's attorneys, brings this action  
13 to challenge the actions of Resurgence Financial, LLC, ("Resurgence"), and  
14 Law Offices of Patenaude & Felix, APC, ("Patenaude"), collectively,  
15 ("Defendants"), with regard to attempts by Defendant to unlawfully and  
16 abusively collect a debt allegedly owed by Plaintiff, and this conduct caused  
17 Plaintiff damages.

18 4. Plaintiff makes these allegations on information and belief, with the exception  
19 of those allegations that pertain to a plaintiff, or to a plaintiff's counsel, which  
20 Plaintiff alleges on personal knowledge.

21 5. While many violations are described below with specificity, this Complaint  
22 alleges violations of the statutes cited in their entirety.

23 6. Unless otherwise stated, all the conduct engaged in by Defendants took place  
24 in California.

25 7. Any violations by Defendants were knowing, willful, and intentional, and  
26 Defendants did not maintain procedures reasonably adapted to avoid any such  
27 violation.  
28

**JURISDICTION AND VENUE**

8. Jurisdiction of this Court arises pursuant to 28 U.S.C. § 1331, 15 U.S.C. § 1692(k), and 28 U.S.C. § 1367 for supplemental state claims.
9. This action arises out of Defendants' violations of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq. ("FDCPA") and the Rosenthal Fair Debt Collection Practices Act, California Civil Code §§ 1788-1788.32 ("Rosenthal Act").
10. Plaintiff is a natural person who resides in the City of Lake Worth, County of Palm Beach, State of Florida.
11. Because a substantial part of the events or omissions giving rise to the claim occurred in Riverside County, primarily, Defendants' illegal filing of Case No. INC060739 in The Superior Court of California, County of Riverside, venue is proper pursuant to 28 U.S.C. § 1391b(2).
12. Further, Resurgence's primary office is located in El Segundo, California.
13. Further, Patenaude's primary office is located in San Diego, California.
14. At all times relevant, Defendants conducted business within the State of California.

**PARTIES**

15. Plaintiff is a natural person who resides in the City of Lake Worth, State of Florida.
16. Resurgence is located in the City of El Segundo, in the State of California.
17. Plaintiff is obligated or allegedly obligated to pay a debt, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
18. Defendants are persons who uses an instrumentality of interstate commerce or the mails in a business the principal purpose of which is the collection of debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and are therefore debt collectors as that phrase is defined by 15 U.S.C. § 1692a(6).

1 19. Plaintiff is a natural person from whom a debt collector sought to collect a  
2 consumer debt which was due and owing or alleged to be due and owing from  
3 Plaintiff, and is a "debtor" as that term is defined by California Civil Code §  
4 1788.2(h).

5 20. Defendants, in the ordinary course of business, regularly, on behalf of  
6 himself, herself, or others, engages in debt collection as that term is defined  
7 by California Civil Code § 1788.2(b), and are therefore debt collectors as that  
8 term is defined by California Civil Code § 1788.2(c).

9 21. This case involves money, property or their equivalent, due or owing or  
10 alleged to be due or owing from a natural person by reason of a consumer  
11 credit transaction. As such, this action arises out of a consumer debt and  
12 "consumer credit" as those terms are defined by Cal. Civ. Code § 1788.2(f).

#### 13 FACTUAL ALLEGATIONS

14 22. Sometime before August 11, 2006, Plaintiff is alleged to have incurred certain  
15 financial obligations.

16 23. These financial obligations were primarily for personal, family or household  
17 purposes and are therefore a "debt" as that term is defined by 15 U.S.C.  
18 §1692a(5).

19 24. These alleged obligations were money, property, or their equivalent, which is  
20 due or owing, or alleged to be due or owing, from a natural person to another  
21 person and are therefore a "debt" as that term is defined by California Civil  
22 Code §1788.2(d), and a "consumer debt" as that term is defined by California  
23 Civil Code §1788.2(f).

24 25. Sometime thereafter, but before August 11, 2006, Plaintiff allegedly fell  
25 behind in the payments allegedly owed on the alleged debt. Plaintiff currently  
26 takes no position as to the validity of this alleged debt.

27 26. Subsequently, but before August 11, 2006, the alleged debt was assigned,  
28 placed, or otherwise transferred, to Defendants for collection.

- 1 27. On or about August 11, 2006, Patenaude, acting on behalf of Resurgence,  
2 filed a state collections lawsuit against Plaintiff in the Superior Court of  
3 California, County of Riverside, Case No. INC060739.
- 4 28. Despite filing the State Action in the Superior Court of California, County of  
5 Riverside, Plaintiff did not reside within the jurisdiction of Superior Court of  
6 California, County of Riverside at the time the lawsuit was filed, but rather,  
7 resided within the jurisdiction of Palm Beach County, Florida.
- 8 29. Defendants brought a legal action against Plaintiff to enforce an interest in  
9 real property securing the alleged obligation in a judicial district or similar  
10 legal entity outside of where such real property was located. This conduct by  
11 Defendants violated 15 U.S.C. § 1692i.
- 12 30. Based upon Plaintiff's current address, the correct Court to hear the  
13 underlying action was the Superior Court of Palm Beach, County of Palm  
14 Beach, State of Florida.
- 15 31. As a result of Defendants' illegal conduct, Plaintiff has incurred damages,  
16 including being forced to defend an action in an improper and inconvenient  
17 forum.
- 18 32. Through this conduct, Defendants used a false, deceptive, or misleading  
19 representation or means in connection with the collection of a debt.  
20 Consequently, Defendants violated 15 U.S.C. § 1692e and 15 U.S.C. §  
21 1692e(10).
- 22 33. Through this conduct, Defendants used false representations or deceptive  
23 means to collect or attempt to collect a debt or to obtain information  
24 concerning a consumer. Consequently, Defendants violated 15 U.S.C. §  
25 1692e and 15 U.S.C. § 1692e(10).
- 26 34. Because this violated certain portions of the federal Fair Debt Collection  
27 Practices Act as these portions are incorporated by reference in the Rosenthal  
28



1 Fair Debt Collection Practices Act, through California Civil Code § 1788.17,  
2 this conduct or omission violated Cal. Civ. Code § 1788.17.

3 35. On or about February 21, 2013, upon review of his credit report, Plaintiff first  
4 became aware of Defendants' lawsuit filed against Plaintiff.

5 **CAUSES OF ACTION**

6 **COUNT I**

7 **FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)**

8 **15 U.S.C. §§ 1692 ET SEQ.**

9 36. Plaintiff repeats, re-alleges, and incorporates by reference, all other  
10 paragraphs.

11 37. The foregoing acts and omissions constitute numerous and multiple violations  
12 of the FDCPA, including but not limited to each and every one of the above-  
13 cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.

14 38. As a result of each and every violation of the FDCPA, Plaintiff is entitled to  
15 any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in  
16 an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and,  
17 reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from  
18 Defendant.

19 **COUNT II**

20 **ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT (ROSENTHAL ACT)**

21 **CAL. CIV. CODE §§ 1788-1788.32**

22 39. Plaintiff repeats, re-alleges, and incorporates by reference, all other  
23 paragraphs.

24 40. The foregoing acts and omissions constitute numerous and multiple violations  
25 of the Rosenthal Act, including but not limited to each and every one of the  
26 above-cited provisions of the Rosenthal Act, Cal. Civ. Code §§ 1788-1788.32

27 41. As a result of each and every violation of the Rosenthal Act, Plaintiff is  
28 entitled to any actual damages pursuant to Cal. Civ. Code § 1788.30(a);

1 statutory damages for a knowing or willful violation in the amount up to  
2 \$1,000.00 pursuant to Cal. Civ. Code § 1788.30(b); and reasonable attorney's  
3 fees and costs pursuant to Cal. Civ. Code § 1788.30(c) from Defendant.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays that judgment be entered against Defendants, and  
6 Plaintiff be awarded damages from Defendant, as follows:

- 7 • An award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
- 8 • An award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. §  
9 1692k(a)(2)(A);
- 10 • An award of costs of litigation and reasonable attorney's fees, pursuant  
11 to 15 U.S.C. § 1692k(a)(3);
- 12 • An award of actual damages pursuant to California Civil Code §  
13 1788.30(a);
- 14 • An award of statutory damages of \$1,000.00 pursuant to Cal. Civ. Code  
15 § 1788.30(b);
- 16 • An award of costs of litigation and reasonable attorney's fees, pursuant  
17 to Cal. Civ. Code § 1788.30(c).

18 42. Pursuant to the seventh amendment to the Constitution of the United States of  
19 America, Plaintiff is entitled to, and demands, a trial by jury.

20  
21  
22 Respectfully submitted,

23 **Hyde & Swigart**

24  
25 Date: January 23, 2014

26 By: s/ Crosby S. Connolly  
27 Crosby S. Connolly  
28 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Dale S. Fischer and the assigned Magistrate Judge is Patrick J. Walsh.

The case number on all documents filed with the Court should read as follows:

ED14CV172 DSF PJWx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

January 29, 2014

Date

By J. Prado

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
OFFICE OF THE CLERK OF COURT

MEMORANDUM

Date: 1/29/14

To: U.S. District Judge Dale S. Fischer  
U.S. Magistrate Judge Patrick J. Walsh

From: Civil Intake Filing Clerk J. Prado

Re: Case Number 5:14-cv-00172 DSF PJWx  
Case Title Alexis Gonzalez v. Resurgence Financial et al

In accordance with General Order 98-3 and 02-06, there has been a determined maximum number of civil cases allowed for assignment to the Eastern and Southern Division for this month. In order that the civil case filings in the Eastern or Southern Divisions do not exceed the maximum number of cases allowed for assignment, the above-date that this case was filed was designated a "black-out" day. Any civil case with Eastern or Southern Division venue that is received for filing at any Clerk's Office location on a designated "black-out" day shall be assigned to a Los Angeles District Judge and may be referred to a Los Angeles Magistrate Judge.

Please be advised that the above-entitled case has Eastern or Southern Division venue as indicated by the case number and has been assigned to you pursuant to the "black-out" procedures of this district.

If you have any questions regarding this matter, feel free to contact me at ext. 3535 .

cc: Statistics & Research

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

Alexis Gonzalez

Plaintiff(s)

v.

Resurgence Financial, LLC; and Law Offices of  
Patenaude & Felix, APC

Defendant(s)

EDCV14-172DSF(PJWx)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Resurgence Financial, LLC  
260 N. Sepulveda Blvd., #2077  
El Segundo, CA 90245

Law Offices of Patenaude & Felix, APC  
4545 Murphy Canyon Road, 3rd Floor  
San Diego, CA 92123

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Crosby S. Connolly, Esq.; Joshua B. Swigart  
Hyde & Swigart  
2221 Camino Del Rio South, Suite 101  
San Diego, CA 92108

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JAN 29 2014

Date: \_\_\_\_\_

CLERK OF COURT

Signature of Clerk or Deputy Clerk



ORIGINAL

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☐ )

Alexis Gonzalez

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

Resurgence Financial, LLC; and Law Offices of Patenaude &amp; Felix, APC

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)Crosby S. Connolly (SBN: 286650); Joshua B. Swigart (SBN: 225557)  
Hyde & Swigart  
2221 Camino Del Rio South Suite 101, San Diego, CA 92108  
(619) 233-7770**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff  
☐ 2. U.S. Government Defendant  
☒ 3. Federal Question (U.S. Government Not a Party)  
☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1. Original Proceeding  
☐ 2. Removed from State Court  
☐ 3. Remanded from Appellate Court  
☐ 4. Reinstated or Reopened  
☐ 5. Transferred from Another District (Specify)  
☐ 6. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION** under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ 75,001.00**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
15 U.S.C. 1692 et seq; Violations of the Fair Debt Collection Practices Act**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions <b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 American with Disabilities-Employment <input type="checkbox"/> 446 American with Disabilities-Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405 (g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY:

Case Number:

EDCV14-1724

COPY



## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Western

## CIVIL COVER SHEET

**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY**

**(OR SELF-REPRESENTED LITIGANT):** s/Crosby S. Connolly



DATE: 01/24/2014

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))